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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON, MEDFORD DIVISION**

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**FEDERAL TRADE COMMISSION**

**Plaintiff,**

**v.**

**ADEPT MANAGEMENT, INC., et al.**

**Defendants.**

**Case No.: 1:16-cv-00720-CL**

**HOYAL DEFENDANTS' WITNESS  
STATEMENT OF JAMES E. MAGLEBY**

James E. Magleby

Anticipated Direct Examination: 15 Minutes

Defendants Hoyal & Associates, Inc. ("H&A"), Jeffrey Hoyal ("Jeff"), and Lori Hoyal ("Lori") (collectively, the "Hoyal Defendants"), through their counsel of record, respectfully submit a summary of the facts to which James E. Magleby ("Magleby") will testify during direct examination.

Mr. Magleby will testify relative to Trial Exhibit 3023, a direct mail solicitation sent by Vanity Fair magazine, that Mr. Magleby's household previously had a subscription to Vanity Fair, that Exhibit 3023 was received by Mr. Magleby's household after that subscription had expired, that there was no payment due or owing to Vanity Fair at the time Exhibit 3023 was received, and as to Mr. Magleby's reaction to receipt of Exhibit 3023.

DATED this 15<sup>th</sup> day of November 2018.

**MAGLEBY CATAXINOS & GREENWOOD**



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Eric K Schnibbe  
Adam Alba

**BROPHY SCHMOR LLP**

David B. Paradis

*Attorneys for Hoyal & Associates, Jeffery  
Hoyal, and Lori Hoyal Defendants*

### CERTIFICATE OF SERVICE

I hereby certify that I am employed by the law firm of MAGLEBY CATAXINOS & GREENWOOD, 170 South Main Street, Suite 1100, Salt Lake City, Utah 84101, and that pursuant to Rule 5(b), Federal Rules of Civil Procedure, a true and correct copy of the foregoing **HOYAL DEFENDANTS' WITNESS STATEMENT OF JAMES E. MAGLEBY** was delivered to the following this 15<sup>th</sup> day of November 2018, by submission to CM/ECF System or e-mail:

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